

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Curiel *et al.* § ART UNIT: 1632  
FILED: September 9, 1999 §  
SERIAL NO.: 09/393,173 § EXAMINER:  
FOR: Adenoviral Vector Encoding Pro- § Wehbe, A.M.S.  
Apoptotic Bax Gene and Uses  
Thereof § DOCKET: D6163

RESPONSE AFTER FINAL

Dear Sir:

Responsive to the Final Office Action mailed August 28, 2002, please enter the following amendments and remarks. Reconsideration of this application as amended is respectfully requested.

AMENDMENTSIN THE CLAIMS:

Please amend claim 3 as follows:

3. (twice amended) A method of treating an individual having a neoplastic disease, comprising the step of administering to said individual a composition comprising an inducible recombinant adenoviral vector encoding a pro-apoptotic *bax* gene which is placed downstream of a loxP excision cassette and a vector encoding a